

1 8 2005

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov

Office of Regulatory Policy HFD - 13 5600 Fishers Lane. Rockville, MD 20857

Attention: Claudia Grillo

Dear Ms. Axelrad:

Transmitted herewith is a copy of the application for patent term extension of U.S. Patent No. 5,610,163. The application was filed on March 15, 2004, under 35 U.S.C. § 156.

The patent claims a product that was subject to regulatory review under the Federal Food, Drug and Cosmetic Act. Subject to final review, the subject patent is considered to be eligible for patent term restoration. Thus, a determination by your office of the applicable regulatory review period is necessary. Accordingly, notice and a copy of the application are provided pursuant to 35 U.S.C. § 156(d)(2)(A).

Inquiries regarding this communication should be directed to the undersigned at (571)272-7744 (telephone) or (571)273-7744 (facsimile).

Karin Ferriter

Senior Legal Advisor

Office of Patent Legal Administration Office of the Deputy Commissioner for Patent Examination Policy

cc:

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RE: Spiriva HandiHaler (tiotropium bromide monohydrate) Docket No. 04E-0304